

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 14181 of 2005

Between:

Y. Rama Devi, W/o. Laxma Reddy,
R/o. H.No. 46-564/2, Bhagat Singhnagar, Qutubullapur Mandal,
Ranga Reddy District.

..... PETITIONER

AND

The Special Grade Deputy Collector & Revenue Divisional Officer, Ranga Reddy
(East) Division,
Goshamahall, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more in the nature of writ of Certiorari to call for the records of the respondent in Progs.No. C/1624/2004 dt. 10-6-2005 and quash the same.

Counsel for the Petitioner: Mr. V.H.V.R.R.SWAMY

Counsel for the Respondent: GP FOR CIVIL SUPPLIES

The Court, at the stage of admission, made the following:

ORDER:

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This Writ Petition is directed against the order, dated 10-06-2005, calling upon the petitioner to show cause why her authorization for the fair price shop No.381, Bhagatsinghnagar, Qutubullapur Mandal, Rangareddy District, be not cancelled for the lapses committed by her.

2. In an order dated 04-03-2005 the Joint Collector, Rangareddy District, while disposing of a case instituted against the petitioner under Section 6A of the Essential Commodities Act, 1955 (for brevity, "the Act"), without passing any order of confiscation, directed initiation of action against the petitioner under Section 7 of the Act and also ordered the Revenue Divisional Officer concerned to initiate action for cancellation of authorization.

3. It appears, coerced by the directives of his superior-the Joint Collector, the respondent issued the impugned order proposing cancellation of the petitioner's authorization. The order dated 10-06-2005 does not even indicate the charges against the petitioner. No specifics of date, commodity or other violations are mentioned. The charge is vague and incapable of response. The impugned order constitutes abdication of quasi judicial propriety. The order is accordingly set aside. The respondent is, however, at liberty to issue a fresh notice for cancellation of the petitioner's authorization, which is more rational and indicative of the charges. This Court hopes and trusts that the respondent would now apply its mind carefully before committing itself to any other disastrous quasi judiciary proceeding.

4. The Writ Petition is allowed as above.

(GODA RAGHURAM,J)

1st July, 2005.

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To

1. The Special Grade Deputy Collector
& Revenue Divisional Officer,
Ranga Reddy (East) Division,
Goshamahal, Hyderabad.

2 Two CCs to the GP for Civil Supplies,
High Court of A.P., Hyderabad (O.U.T.)

3 Two CD copies.

4 One CC to MR.V.SWAMY.